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Editor: Deborah Jeffries, SHRM-CP, PHR, CPC: **Advantage** is published monthly and is designed to provide information on regulations, HR practices, and management ideas and concerns. The intended audience is managers, supervisors, business owners, human resources professionals and labor relations professionals. If you have questions about the content, an opinion about the information, or questions about your subscription, please call us at 503-885-9815 or email us at info@hranswers.com



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RETURNING TO WORK

Our resiliency and patience are finally paying off. As you have been hearing things are starting to open up across the country and definitely here in the Northwest. Organizations of all sizes are asking questions about what does it mean to return to work, what do we need to think about and what do we need to communicate with our employees?

We thought we would reference a couple of things for your consideration as you weigh your options and what you need to prioritize. While opening up means the reduction or elimination of many mandates, some organizations may choose to continue some health and safety measures. Among the many things you need to consider is the mental state of your employees. How do they feel about coming back to work? Do they need to be reassured? You need to understand how motivated people are to return to the office – whether that's because they've enjoyed working from home or because they were disappointed by the decision to furlough them.

We have put together a list of questions to help you understand how your employees are feeling about returning to work.

1. Are you looking forward to returning to work? Yes/No

This will give you an overall sense of how your employees are feeling.

2. If you have been working from home, would you prefer to continue doing so?

Offering working from home options to staff can boost morale and retention. However, please only ask questions and provide answer options that are real possibilities. (This is true for all survey questions).

3. On a scale of 1 – 10, how would you rate your communication with your manager while working from home?

The effectiveness of communication can dictate whether it's viable to continue to work from home.

4. In your opinion, have you been equally as productive, less productive, or more productive while working from home?

Productivity is the key to determining whether employees can work from home for the long term.

5. If you have been furloughed – do you understand the reasons for it?

It is important to bring everyone back on good terms, so contact those who feel resentful to explain the situation and try to reassure them.

6. Do you have concerns about commuting to work?

Employees who take public transport may have concerns about their ability to socially distance (or having to wear face masks) while using trains, buses, or taxis.

7. Are you nervous about returning to work while the threat of Covid-19 and the variants remains?

People who are nervous must be reassured that you're doing everything you can to make it safe.

8. Please let us know (using the options below) how each of these safety measures affects your confidence in returning to work.

Not confident – Somewhat confident – Confident – Very confident – No opinion

- Strict social distancing; Staggered shift patterns; restricted access to communal areas; limited numbers of people allowed in meeting rooms.
- Daily deep cleaning of premises.
- Hand sanitizer provided.
- One-way walking systems.
- Social distancing floor markers.
- Face masks provided.
- Temperature checks upon arrival.
- Other (add your office specifics)

Find out which is most important to your employees and prioritize them.

9. Are you able to be flexible in your start, break, and finish times to account for social distancing and limiting the number of employees on-site at a single time?

Flexibility may be needed to ensure everyone can work safely.

10. If yes, are you willing to be flexible on the following? Select all that apply.

- Come in earlier
- Come in later
- Take an early lunch
- Take a late lunch
- Work from home for part of the week
- Work from home on a temporary basis

11. Would you be willing to wear a face mask?

Masks are for the protection of those around you, but some may not be comfortable wearing them all day.

12. Are you willing to notify your employer if you encounter anyone – or go anywhere – with a high risk of Covid-19 infection?

Those who are at risk should stay home and self-isolate for two weeks, but people need to be transparent and tell their employer if they're at risk.

13. Do you have any additional concerns about returning to work? If so, please tell us what they are.

As employees are coming back to work there is going to be a “readjustment” period. Our definition of readjustment is how to interact with others, communicate, problem solve, team dynamics, conflict resolution, office etiquette and so much more. We encourage you to think about having a reboarding process for your returning employees and include these topics with set expectations or training elements.

Employees will be returning to work with a variety of experiences (some shared and some not) and for some they were more challenging than others. This is also an opportunity for you to reference your EAP resource for employees and their individual needs.

Last month, in our newsletter, we referenced reviewing your job descriptions as one of the “returning” activities. You can find that article [here](#).

We wish you well on this new adventure and as always if you need help with questions or strategies about what you want to do and how you want to do it that's what we're here for. Just give us a call.

BUILDING RAPPORT AND ENHANCING RELATIONSHIPS

Exceptional organizations demand outstanding people skills. Organizations need employees who can get results with and through others. Those who are consistently able to work well with all kinds of people illuminate interpersonal conflict, help teams perform better and improve communication department wide. They are truly a valuable asset to their organizations.

Organizations have long realized it takes more than technical skills for our employee to be highly valuable. It takes interpersonal skills - the ability to build rapport and communicate effectively with coworkers. Even the smallest investment in training that equips employees with strong interpersonal skills will be repaid many times over through a smoother operating, more productive workplace.

Be honest - have you felt this way? Do you occasionally wonder if you could've handled an office situation better? Can you take criticism in stride and give criticism that brings positive change? Ever dread talking to a coworker about something you don't agree on? Do you handle what should be group projects alone because you dislike involving colleagues? Do you feel as if you have nothing in common with coworkers? Do you know you have good ideas, but fear you'll be ridiculed if you share them? Do you struggle with what to say to other attendees at professional gatherings? Do you wish you were more of a people person? Do you become easily distracted when others are talking to you?

No skill is more important to success in your career and your personal life than the ability to connect with people. When you have a rapport with someone, you share:

- **Shared attentiveness:** when you are both focused on, and interested in, what the other person is saying or doing.
- **Positivity:** a shared optimistic attitude, where you are both friendly and happy, and you show care and genuine concern for one another.

- **Synchronization:** you feel "in sync" with one another, so that you share a mutual understanding of a situation or goal. Generally, your energy levels, tone, body language and communication style are also similar.

This connection can appear instantly – when you "just click" with someone – or it can develop slowly, over time. It can grow naturally, without intent, or you can purposefully and deliberately set out to build it.

Rapport isn't just a tool for building relationships, though; it's often the cornerstone of success. When you have a rapport with someone, you're better placed to influence, learn and teach, particularly as the trust that you've built up means other people are more likely to accept your ideas, to share information, and to create future opportunities together.

Want to learn more? Willing to challenge yourself? We encourage you to check out our upcoming program entitled Building Rapport and Enhancing Relationships on August 25th. Click [here](#) to learn more.

COMPLIANCE UPDATES

Affirmative Action and OFCCP. For our larger organizations, and those with federal contracts, the EEOC has announced the deadline for filing EEO-1 Reports has been extended. The new filing deadline is now Monday, August 23, 2021. As a reminder this year's reporting is for both the 2019 and 2020 EEO-1 Component 1 forms. Stay tuned for further updates.

* * * *

Reminder: OFCCP updated the [annual veteran benchmark for 2021](#). The new benchmark is now set at 5.6%. This is down 0.1% from last year's mark of 5.7%. The OFCCP relies on the [annual national percentage of veterans in the civilian labor force to set the benchmark](#). As a reminder, the benchmark is the percentage of total hires who are protected veterans that the contractor seeks to hire in the following AAP year. The new benchmark is effective for affirmative action plans developed after March 31, 2021.

* * * *

Non-Competes. In case you missed it - Senate Bill 169, which covers new and more aggressive restrictions on non-competes, was signed into law on May 21, 2021.

The new rules include:

- Instead of non-competition agreements being "voidable" by a court, the new law makes them "void and unenforceable" unless statutory conditions are met.
- The new law shortens the maximum period of restriction for non-compete agreements from 18 months to 12 months. This requirement does not apply to covenants not to solicit employees or customers.
- The amendments increase the income threshold for enforcement of non-compete agreements to \$100,533, adjusted annually for inflation. In contrast, the prior version of the statute used the median income of a family of four per the U.S. Census Bureau. This requirement does not apply to covenants not to solicit employees or customers.

- The new law also provides that, notwithstanding the various limitations on non-compete agreements, a non-compete agreement is generally enforceable for up to 12 months if the employer agrees in writing to provide the employee, for the period of restriction, with the greater of at least 50% of the employee’s annual gross base salary and commissions at the time of termination, or 50% of \$100,533, adjusted annually for inflation.

HR BY THE NUMBERS

As a leader, one of your top priorities is to help your team members succeed and feel engaged with their work. But if you don't create psychological safety at work, those ambitions will not be possible. In fact, data from Gallup reveals that just three in 10 U.S. workers strongly agree that their opinions seem to count at work. Further, one study revealed that by moving that ratio to six in 10 employees, organizations would realize a 27% reduction in turnover.

* * * *

According to the World Health Organization (WHO), health literacy is the single strongest determinant of health, cost, and mortality. Unfortunately, only one in nine Americans has proficient health literacy. This fact, coupled with the widespread misinformation that has occurred during the COVID-19 pandemic, underscores the urgent need to correct this deficit.

* * * *

68% of organizations introduced wellness benefits to support mental and emotional well-being during the pandemic. From Calm the 8 Essentials for HR & Benefits Leaders”.

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According to Ogletree Deakins study here are the most common COVID-related claims organizations are experiencing:

- Retaliation and wrongful discharge 40%
- Unsafe working conditions 23%
- Disability discrimination 15%
- FMLA/Families First law 12%
- Wage and hour 6%

* * * *

According to a SHRM survey of 955 employers and 529 workers most will encourage, not mandate, the COVID vaccine.

61% of employers say they will encourage workers to get the vaccine, not require it.
24% of US workers say they balk at getting the vaccine if their employer required it.

According to research conducted by McKinsey (June 2020), inclusivity matters to both LGBTQ+ and non-LGBTQ+ job seekers. Nearly 40% of candidates said they had rejected a job offer or decided not to pursue a position due to lack of inclusive hiring practices.

HRA CALENDAR

Open your Daytimers, Outlook, and all those Smartphones. The following is a look at upcoming events and workshops, special days, and other diverse and fun activities you will want to be aware of and schedule. To register for our workshops, go to [HR Answers Events](#) or click on the event below.

JULY: National Blueberries, Watermelon, Grilling, Hot Dog, Ice Cream, Picnics, Family Golf, National Parks and Recreation, Culinary Arts, Women’s Motorcycle and Cell Phone Courtesy Month.

- Jul 7** **National Macaroni Day**

- Jul 7** **HR Lunch Bunch: Consultant’s Corner FREE**
12:00pm to 1:00pm
[Register Here](#)

- Jul 8** **Job Search Webinar FREE**
11:00am to 1:00pm
[Register Here](#)

- Jul 9** National Car Appreciation Day
- Jul 13** National French Fry Day

- Jul 13** **HRA Webinar – Technical Skills: Conducting Employee Opinion Surveys**
9:00am to 11:00am
[Register Here](#)

- Jul 14** **HRA Webinar – Emotional Safety in the Workplace**
9:00am to 11:00am
[Register Here](#)

- Jul 15** **HRA Webinar – Say No to Bullying**
8:30am to 11:00am
[Register Here](#)

- Jul 17** World Emoji Day 😊
- Jul 18** National Ice Cream Day
- Jul 19** National Daiquiri Day
- Jul 21** National Junk Food Day

- Jul 20** **HRA Webinar – HR for the Non-HR Person**
9:00am to 12:00pm
[Register Here](#)

- Jul 25** National Hire a Veteran Day

Jul 27 HRA Webinar – HR for the Non-HR Person

1:00pm to 4:00pm

[Register Here](#)

Jul 28 HRA Webinar – Routine Maintenance on Time and Stress Management

8:30am to 12:00pm

[Register Here](#)

Jul 29 HRA Webinar – Working with Volunteers

8:30am to 11:00am

[Register Here](#)

COMING UP:

Aug 3 HRA Webinar – HR for the Non-HR Person

9:00am to 12:00pm

[Register Here](#)

Aug 4 HR Lunch Bunch – Your Activities for Supervisor Training

12:00pm to 1:00pm

[Register Here](#)

Aug 5 HRA Webinar – Personal Improvement: Credibility & Integrity

8:30am to 11:00am

[Register Here](#)

Aug 10 HRA Webinar – HR for the Non-HR Person

1:00pm to 4:00pm

[Register Here](#)

Aug 12 HRA Webinar – Power of Appreciation

8:30am to 12:00pm

[Register Here](#)

Job Search Webinar FREE

11:00am to 1:00pm

[Register Here](#)

Aug 17 HRA Webinar – Courtesy is Contagious: Workplace Etiquette

9:00am to 11:00am

[Register Here](#)

Aug 25 HRA Webinar – Soft Skills: Building Rapport and Enhancing Relationships

8:30am to 12:00pm

[Register Here](#)

LOOKING AHEAD:

- Sep 1** **HR Lunch Bunch: Recognizing Disability FREE**
 12:00pm to 1:00pm
[Register Here](#)
- Sep 2** **HRA Webinar: Corrective Action**
 8:30am to 10:30am
[Register Here](#)
- Sep 9** **HRA Webinar: Defining Workplace Culture**
 8:30am to 12:00pm
[Register Here](#)
- Sep 14** **HRA Webinar: Managing Conflict**
 8:30am to 12:00pm
[Register Here](#)
- Sep 16** **Job Search Webinar FREE**
 11:00am to 1:00pm
[Register Here](#)
- Sep 16** **HRA Webinar: Leaves – Protected, Discretionary, Paid or Unpaid**
 1:30pm to 3:30pm
[Register Here](#)
- Sep 22** **HRA Webinar: Positivity (No More Negativity)**
 8:30am to 12:00pm
[Register Here](#)
- Sep 25 to
Nov 11** **Success for Beginning Supervisors (a series)**
 8:30am to 12:00 on Thursdays
[Register Here](#)
- Sep 27-29** **NHRMA Conference**
[NHRMA 2021 Conference and Tradeshow - Choose Registration \(eventscloud.com\)](#)

We will be there as a sponsor and as speakers!

- Visit us at booth #10
- Laurie Grenya and Deborah Jeffries have a Pre-Conference Session at 9:00am: ***Live Q&A on common and emergent HR topics – what should your questions be, and why?*** We would love to have you join us. Check out the agenda and sign up for sessions: [Agenda | NHRMA 2021 Conference \(nhrmaconference.org\)](#)
- Deborah has other presentations as well; be sure to look for those.

IN-PERSON TRAINING

Well, if the rumors are to be believed Oregon is opening back up and that means your employees may be coming back to work and some of your in-person activities will be returning as well. As you can read in the above information HR Answers has a variety of topics and training programs. We have been delivering programming for over three decades and that did not stop over this last year.

We understand that it might be a slow transition to getting back to some sense of normalcy and we wanted to let you know that we continue to offer educational programming and are happy to come on-site and do in-person programming when you're ready. Whether it is development opportunities or compliance needs, such as harassment training, we can assist.

We've had such success with our on-line, virtual activities that we will be doing more of that to accommodate those of you who are outside the immediate area, don't like the traffic (and yes it's back), or just feel more comfortable being in your location. We encourage you to check out our [website for our training calendar](#) and broad list of topics (for management, HR, and employees) that we can bring to you or simply give us a call and talk with one of our trainers. We would be more than happy to chat about your needs, goals, and objectives for yourself or for fellow staff members.

THOUGHTS TO THINK ABOUT

The secret of change is to focus all your energy not on fighting the old but building on the new. -Socrates

Without ambition one starts nothing. Without work one finishes nothing. - Ralph Waldo Emerson

Always be a first-rate version of yourself, instead of a second-rate version of anybody else. - Judy Garland

The longest journey is the journey inward. - Dag Hammarskjold

Tenderness and kindness are not signs of weakness and despair, but manifestations of strength and resolution. - Kahlil Gilbran

When you are kind to others, it not only changes you it changes the world. - Harold Kishner

Kind words can be short and easy to speak but their echoes are truly endless. - Mother Teresa

I am only one; but I am still one. I cannot do everything, but still, I can do something. I will not refuse to do something I can do. - Helen Keller

All progress has resulted from people who took unpopular positions. - Walter Palter

Q & A

Q: We've been doing a tremendous amount of hiring and interviewing lately and it seems like every person I interview (when they show up) is so rehearsed and coached on the process that I cannot get sincere answers to my questions. How can I cut through these rehearsed responses and truly learn more about these candidates as individuals?

A: There are a lot of resources out there for applicants to learn how to be successful interviewees. Here are a couple of suggestions to think about.

Consider how you set the stage for the interview. Build a warm rapport and an inviting environment for them to feel comfortable and safe being themselves. It also perhaps means it's okay for you to give a little of yourself too. Be authentic. Share a personal work-related story and start building that relationship right there and then. Next, review the questions you're asking and find out if these questions are really asking what you want and need to know. You might even see if they are on popular interview preparation websites. If they are maybe you need to ditch them. The goal should be to generate relevant questions (questions germane to the job as well as are in alignment with the organization) that candidates would not anticipate. One technique can be to wait until the applicant has answered your question and look them in the eye and wait for the person to fill the silence with more details. Or you can prompt the candidate by asking a follow-up question; something like "can you tell me more about that?" Or, "that certainly was one way of handling the situation; how might you handle it if you needed to do it differently?" Or, "mentioned _____; what experience led you to make that recommendation or have that thought or _____?" The goal here is for the applicant to share a situation, identify the task (what they did), their action (how they did it) and we also want them to share the result and what was involved in the outcome. What was their individual role in the example they are sharing and perhaps where they made the mistake (are they willing to own it) and what did they learn from that and how did they use that information going forward in their professional work life.

HR LINK

With more employees working from home the Department of Labor has issued new guidance on how employers should inform employees about their workplace rights under the Fair Labor Standards Act, the FMLA, and other federal labor laws. A new DOL field assistance bulletin clarifies how employers should post required notices in an environment where millions of employees no longer work on their employer's premises. The DOL says employers should continue to post hard copies at work, ensuring all workers have access to the notices. This helped satisfy a requirement to keep notices posted at all times. Strictly electronic postings are only allowed if employees work remotely all the time, all communication is electronic, and all employees have

ready access to the electronic postings at all times. When some employees work onsite and others remotely, then the posters must appear physically and be electronically available. For an electronic posting to meet access requirements, employees must be able to view a poster or file without requesting permission. Employers must make sure they let employees know where and how to access the electronic notice. It is best practice to include all required posters in your online employee handbook . Periodically remind employees how to access the information. www.dol.gov/sites/dolgov/files/WHD/legacy/files/fab_2020_7.pdf

ON MY SOAPBOX

NOTE: I want to thank all the people who took time and thought to respond to my last Soapbox. Your affirming words were very gracious and endorsing. The fact that so many of you were/are experiencing the same feelings tells me that there is a strong power for good still alive in the U.S. And to my faithful reader, Mark, I truly appreciate all your comments on Soapbox.

We had a great experience recently. Two of our staff members often travel to work and home again together. They always use the same route. There is a sign at the Tigard City Hall that the City uses to share information with the public. The two travelers have found it to be informative and sometimes light-hearted. So, one of them tweeted the following to Tigard City Hall:



Tigard City Hall tweeted back:



Then, a few days later, the City's message board said this:



Our team was tickled! I can't help but wonder what other drivers thought when they saw that sign. I wonder if it brightened their day. I wonder if they were curious about what was said in our co-worker's original note to them. I wonder if they saw that word "appreciation" and if they thanked someone during that day for something.

Being appreciated is a valued experience. Everyone of us can do a better job of appreciating the things others give or share with us. I suspect that this will be a story I often share with others about the value of appreciation and how it can have an unexpected outcome. Thanks, Rachelle, for writing the note. That was a really good idea!!

~Judy



"Whatever the Question"
 Visit Our Website for More Information
hranswers.com

Judy Clark, Founder



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